

Application No.: 09/788,646  
Attorney Docket No. 52493.000127

REMARKS

Claims 1-52 are pending in the application. As set forth in the Office Action, claims 4, 5, 6, 9, 10, 11, 15, 17-20, 25, 26, 27, 31-34, and 36-52 are withdrawn from further consideration as being drawn to a non-elected species/invention.

Reconsideration and allowance in view of the following remarks are respectfully requested.

A. The 35 U.S.C. §102 Rejection Based on Polizzi

In the Office Action, claims 1, 21 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent NO. 6,643,661 to Polizzi et al. (Polizzi). This rejection is respectfully traversed.

Claim 1 recites a method for providing sales-related data over a network comprising the steps of:

receiving a request for sales-related data from a user at a broker address; accessing broker information from a broker information database based on the broker address; displaying at least a portion of the broker information with at least a portion of subsequent information presented to the user; receiving request-related information from the user; and generating the sales-related data based on the received request-related information. Applicant respectfully submits that Polizzi fails to teach each and every feature of claim 1.

The Office Action asserts that Polizzi teaches the features set forth in claim 1. In particular, the Office Action asserts that Polizzi teaches receiving a request for sales-related data from a user at a broker address (the portal page 100 is read as the broker address; sales related data is set forth ); accessing broker information from a broker information database based on the broker address (broadcast messages portal object 1005 is mandatory and is read as broker

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information); displaying at least a portion of the broker information (broker information is read as object 100S) with at least a portion of subsequent information presented to the user (see Fig 10, object 1005 is displayed along with sales region information 1110); receiving request-related information from the user; (channels are user created and maintained and hence are read as request related, see col. 13, lines 46 et seq.); and generating the sales-related data based on the received request-related information (Pacific Rim fishing results are generated by the portal system 120).

Polizzi is directed to a method and apparatus for implementing search and channel features in an enterprise-wide computer system. In the Abstract, Polizzi describes a portal computer system and method which provides personalized portal pages on which searches can be entered and search reports can be dynamically reported.

Applicant submits that Polizzi fails to teach the claimed invention. As noted above, the Office Action asserts that Polizzi teaches receiving a request for sales-related data from a user at a broker address (the portal page 100 is read as the broker address...). This asserted reading of Polizzi is traversed.

Claim 1 clearly recites receiving a request for sales-related data from a user at a broker address; and accessing broker information from a broker information database based on the broker address. Thus, claim 1 clearly recites manipulation utilizing a "broker address." Polizzi fails to teach such manipulation of the broker address.

The Office Action asserts that Polizzi's "portal page 100" constitutes the recited broker address. Based on Applicant's review, Polizzi's item 100 is simply a user (see for example column 4, line 27 and column 5, line 19). Such teaching of a "user" cannot fairly be interpreted to teach the claimed broker address.

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On the other hand, Polizzi does indeed describe various aspects of the "portal page." For example, in column 2, lines 36-65, Polizzi teaches the portal system presents data to a user in an object called a portal page. Polizzi goes on to describe the portal page is an object arranged in a format that is readable by a browser program. The portal page is a highly configurable document that may be comprised of a plurality of modules called portal objects. Each portal object may contain a set of links corresponding to output reports, jobs, or other objects stored within the repository. Thus, as described by Polizzi, by clicking on one of the links in a portal object, the portal system will process the object corresponding to that link. Polizzi teaches if the link is directed to a job stored within the portal system, then clicking on that job will cause the job to be executed. If the link is directed to a browsable object stored within the repository, then that object will be displayed to the user. A portal page may also include a display window that can display browsable objects to a user.

However, Applicant submits that Polizzi's portal page also cannot fairly be interpreted to constitute the clearly recited "broker address". Rather Polizzi's portal page is a configurable document, as described by Polizzi above. Applicant respectfully submits that the Office Action's interpretation of Polizzi essentially leaves words of claim 1 meaningless. Polizzi fails to fairly teach the features of claim 1.

In further traversal of the basis of the rejection (and Polizzi's asserted teachings), Applicant notes the Office Action on page 4. Therein, the Office Action asserts that it would be obvious to modify the system in Polizzi to include the state based rules of Miller because the "feature of Polizzi of setting channels to maintain information on given state insurance standards would motivate the user to use this a way of updating the table 2." Accordingly, such basis of rejection relies on the "feature of

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Polizzi of setting channels to maintain information on given state insurance standards.”

However, Applicant fails to see that Polizzi sets forth (or in any way suggests) such teaching.

The Examiner is respectfully requested to clarify the manner in which Polizzi allegedly sets forth such disclosure.

Accordingly, it is respectfully submitted that claim 1 defines patentable subject matter for at least the reasons set forth above. Further, it is submitted that independent claim 21 defines patentable subject matter for reasons similar to those set forth with respect to claim 1.

Further, as discussed below regarding the 35 U.S.C. §103, the various dependent claims define patentable subject matter based on their various dependencies on the independent claims, as well as the additional features such dependent claims recite. Withdrawal of the rejection under 35 U.S.C. §102 is respectfully requested.

B. The 35 U.S.C. §103 Rejection Based on Polizzi and Miller

In the Office Action, claims 1-3, 7, 8, 12, 13, 14, 16, 21-24, 28, 29, 30, 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Polizzi in view of U.S. Patent to Miller et al (Miller). This rejection is respectfully traversed.

The Office Action asserts that Polizzi discloses the invention as set forth above but does not disclose asking the user to select the user's state of residence; and receiving the user's state of residence selection, wherein the step of generating the sales-related data includes the sub-step of determining the sales-related data to generate based on the user's state of residence selection. The Office Action further alleges that, however, Miller does disclose state based rule sets see table 2 wherein depending upon the state of residence a given endorsement clause is generated. The Office Action concludes that it would be obvious to modify the system in Polizzi to include the state based rules of Miller because the feature of Polizzi of setting channels to maintain

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information on given state insurance standards would motivate the user to use this a way of updating the table 2; and that the state in which a the broker is licensed to business would obviously need to be a requirement to issue policies in a given area.

Applicant respectfully submits that such analysis is deficient for the reasons set forth above. That is, Polizzi fails to set forth the asserted teachings upon which the 35 U.S.C. §103 relies.

Further, Applicant submits that it is fully unclear the manner in which Polizzi is proposed to be combined with Miller. As noted above, Polizzi is directed to a portal computer system and method which provides personalized portal pages on which searches can be entered and search reports can be dynamically reported. On the other hand, Miller is directed to a rule based document generation system. In the Abstract, Miller teaches that documents are automatically generated by assembling a plurality of clauses selected from a library of clauses stored in a computer system. A rule set is assigned to each of the clauses. Each rule set provides at least one rule that must be satisfied in order to include the clause associated therewith in a document.

Miller further describes that after document parameters are entered into the computer system, each rule set is tested to identify those that are satisfied by the document parameters. The clauses to which the identified rule sets are assigned are retrieved and assembled into the document. The document generation system is particularly suitable for the creation of insurance policy documents. When necessary, insurance policy clauses are replaced with endorsement clauses based on endorsement selections made by a user. Miller teaches an endorsement selection list is generated by testing rule sets associated with the endorsements.

However, it is not clear how the one of ordinary skill would have been motivated to modify Polizzi based on the divergent teachings of Miller (nor even how Polizzi would have

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been so modified). Rather, Applicant respectfully submits that the Office Action is picking and choosing from divergent art, and that such is unsupportable in sustaining the asserted rejection.

Applicant respectfully submits that claims 1 and 21 are allowable at least for the reasons set forth above. Further, the various dependent claims are allowable based on their dependency on the independent claims, as well as for the additional subject matter such dependent claims recite.

For example, claim 3 recites receiving a request from the user to send an email to a broker; transmitting an email to a first email address of the broker if the user's state of residence selection corresponds to a state in which the broker is licensed to do business; and transmitting an email to a second email address of the broker if the user's state of residence selection does not correspond to a state in which the broker is licensed to do business. Thus, such claim 3 recites particulars relating to processing associated with the user's and broker's associated state.

In addressing such claim, the Office Action asserts that official notice is taken regarding the old use of e-mails to notify a party as to the status of an order and the practice of sending to one address if the status is one way and to another address if the status is another way, see e.g. voting by phone. Applicant respectfully submits that such general teachings fully fails to teach claim 3. Claim 3 does not generally recite so-called "or-else" decisioning relating to e-mails. Claim 3 recites particulars relating to processing associated with the user's and broker's associated state. Polizzi and Miller, either alone or in combination, fail to teach or suggest such particulars.

Further relating to the Office Action assertions as to claim 3 (Office Action, page 4, lines 11-13), Applicant does not understand how the Office Action even proposes to combine Polizzi or Miller with the stated official notice teaching. The Examiner is respectfully requested to

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clarify such analysis.

The rejection of the other dependent claims are traversed at least based on the deficiencies discussed above. Miller fails to cure the deficiencies of Polizzi, as described above. Withdrawal of the 35 U.S.C. §103 rejection is respectfully requested.

C. CONCLUSION

For at least the reasons outlined above, Applicant respectfully asserts that the application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are respectfully solicited.

Applicant believes that no fees are necessary in connection with the filing of this document. In the event any fees are necessary, please charge or credit any such fees, including fees for any extensions of time, to the undersigned's Deposit Account No. 50-0206.

The Examiner is respectfully requested to call Applicant's undersigned representative at the telephone number below if any assistance might be provided to the Examiner in the examination of the application.

Respectfully submitted,

HUNTON & WILLIAMS

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